



Billing Code: 3410-30-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Income Eligibility Guidelines

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: The Department announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children Program (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations.

EFFECTIVE DATE: July 1, 2012.

FOR FURTHER INFORMATION CONTACT: Donna Hines, Branch Chief, Policy Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305-2746.

SUPPLEMENTARY INFORMATION:

Executive Order 12866:

This notice is exempt from review by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act:

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601-612) and thus is exempt from the provisions of this Act.

Paperwork Reduction Act of 1995:

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Executive Order 12372:

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V, 48 FR 29114, June 24, 1983, and 49 FR 22676, May 31, 1984).

Description:

Section 17(d)(2)(A) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(d)(2)(A)), requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person's eligibility for participation in the WIC Program. The law provides that persons will be income eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced-price school meals under section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced-price school meals is 185 percent of the Federal poverty guidelines, as adjusted. Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2012/2013 was published by the Department of Health and Human Services (HHS) at 77 FR 4034, January 26, 2012. The guidelines published by HHS are referred to as the poverty guidelines.

Section 246.7(d)(1) of the WIC regulations (Title 7, Code of Federal Regulations) specifies that State agencies may prescribe income guidelines either equaling the income guidelines established under

section 9 of the Richard B. Russell National School Lunch Act for reduced-price school meals or identical to State or local guidelines for free or reduced-price health care. However, in conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced-price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced-price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time, the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period July 1, 2012, through June 30, 2013. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility guidelines under the Medicaid Program established under Title XIX of the Social Security Act (42 U.S.C. 1396, et seq.). State agencies may coordinate implementation with the revised Medicaid guidelines, i.e., earlier in the year, but in no case may implementation take place later than July 1, 2012.

State agencies that do not coordinate implementation with the revised Medicaid guidelines must implement the WIC income eligibility guidelines on July 1, 2012. The first table of this Notice contains the income limits by household size for the 48 contiguous States, the District of Columbia, and all Territories, including Guam.

INCOME ELIGIBILITY GUIDELINES
(Effective from July 1, 2012 to June 30, 2013)

Household Size	Federal Poverty Guidelines- 100%					Reduced Price Meals - 185%				
	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly
48 Contiguous States, D.C., Guam and Territories										
1.....	\$11,170	\$931	\$466	\$430	\$215	\$20,665	\$1,723	\$862	\$795	\$398
2.....	15,130	1,261	631	582	291	27,991	2,333	1,167	1,077	539
3.....	19,090	1,591	796	735	368	35,317	2,944	1,472	1,359	680
4.....	23,050	1,921	961	887	444	42,643	3,554	1,777	1,641	821
5.....	27,010	2,251	1,126	1,039	520	49,969	4,165	2,083	1,922	961
6.....	30,970	2,581	1,291	1,192	596	57,295	4,775	2,388	2,204	1,102
7.....	34,930	2,911	1,456	1,344	672	64,621	5,386	2,693	2,486	1,243
8.....	38,890	3,241	1,621	1,496	748	71,947	5,996	2,998	2,768	1,384
Each add'l family member add	+					+				
	\$3,960	+ \$330	+ \$165	+ \$153	+ \$77	\$7,326	+ \$611	+ \$306	+ \$282	+ \$141
Alaska										
	\$13,970	\$1,165	\$583	\$538	\$269	\$25,845	\$2,154	\$1,077	\$995	\$498

1.....										
2.....	18,920	1,577	789	728	364	35,002	2,917	1,459	1,347	674
3.....	23,870	1,990	995	919	460	44,160	3,680	1,840	1,699	850
4.....	28,820	2,402	1,201	1,109	555	53,317	4,444	2,222	2,051	1,026
5.....	33,770	2,815	1,408	1,299	650	62,475	5,207	2,604	2,403	1,202
6.....	38,720	3,227	1,614	1,490	745	71,632	5,970	2,985	2,756	1,378
7.....	43,670	3,640	1,820	1,680	840	80,790	6,733	3,367	3,108	1,554
8.....	48,620	4,052	2,026	1,870	935	89,947	7,496	3,748	3,460	1,730
Each add'l family										
	+					+				
member add	\$4,950	+ \$413	+ \$207	+ \$191	+ \$96	\$9,158	+ \$764	+ \$382	+ \$353	+ \$177

Hawaii										
1.....	\$12,860	\$1,072	\$536	\$495	\$248	\$23,791	\$1,983	\$992	\$916	\$458
2.....	17,410	1,451	726	670	335	32,209	2,685	1,343	1,239	620
3.....	21,960	1,830	915	845	423	40,626	3,386	1,693	1,563	782
4.....	26,510	2,210	1,105	1,020	510	49,044	4,087	2,044	1,887	944
5.....	31,060	2,589	1,295	1,195	598	57,461	4,789	2,395	2,211	1,106

6.....	35,610	2,968	1,484	1,370	685	65,879	5,490	2,745	2,534	1,267
7.....	40,160	3,347	1,674	1,545	773	74,296	6,192	3,096	2,858	1,429
8.....	44,710	3,726	1,863	1,720	860	82,714	6,893	3,447	3,182	1,591
Each add'l family										
	+					+				
member add	\$4,550	+ \$380	+ \$190	+ \$175	+ \$88	\$8,418	+ \$702	+ \$351	+ \$324	+ \$162

Because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States, separate tables for Alaska and Hawaii have been included for the convenience of the State agencies.

Authority: 42 U.S.C. 1786

_____	March 19, 2012_____
Jeffrey J. Tribiano	Date
Acting Administrator	

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